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4 BILL NO. X-74-<sup>11-60</sup>~~66~~

5 ANNEXATION ORDINANCE NO. X-<sup>05-74</sup>

6 AN ORDINANCE amending Annexation Ordinance  
7 No. X-03-74 by adding a Section thereto

8  
9 WHEREAS, it is the desire of the Common Council to preserve those  
10 rights of the City of Fort Wayne to preserve whatever rights arise under General  
11 Ordinance No. 2447 so that the position of the City under said Ordinance will not  
12 be jeopardized in the event Ordinance No. X-03-74 is declared invalid.

13  
14 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
15 THE CITY OF FORT WAYNE, INDIANA:

16 SECTION 1. That Annexation Ordinance No. X-03-74 is amended  
17 by adding thereto Section 4 as follows:

18 SECTION 4. Provided, further that, unless the aforesaid General  
19 Ordinance No. 2447 is ruled to be of no force or effect by a court  
20 of competent jurisdiction, said ordinance shall remain in effect  
21 until the completion of any and all litigation arising under this  
22 ordinance.  
23

24 SECTION 2. This Ordinance shall be in full force and effect from and  
25 after its passage, approval by the Mayor and legal publication thereof.

26  
27   
28 Councilman  
29  
30  
31  
32  
33

34 APPROVED AS TO FORM  
35 AND LEGALITY,  
  
CITY ATTORNEY

Read the first time in full and on motion by Stier, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 11/26/74

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage.

Passed (~~LAST~~) by the following vote:

	AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	ABSENT	to-wit:
BURNS	<u>X</u>						
HINGA	<u>X</u>						
KRAUS	<u>X</u>						
MOSES	<u>X</u>						
HUCKOLS	<u>X</u>						
SCHMIDT, D.	<u>X</u>						
SCHMIDT, V.	<u>X</u>						
STIER	<u>X</u>						
TALARICO	<u>X</u>						

DATE: 12/10/74

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (~~Appropriation~~) Ordinance (Resolution) No. X-05-74 on the 10th day of December, 1974.

ATTEST: (SEAL)  
Charles W. Talarico  
CITY CLERK

Samuel J. Talarico  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P. M., E.S.T.

David H. Lutz  
MAYOR

Bill No. X-74-11-60

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance  
amending Annexation Ordinance No. X-03-74 by adding a Section thereto

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

James S. Stier - Chairman

Vivian G. Schmidt - Vice-Chairman

Donald J. Schmidt

Eugene Kraus, Jr.

Paul M. Burns

*James S. Stier*  
*Vivian G. Schmidt*  
*D. Schmidt*  
*Eugene Kraus Jr.*  
*Paul M. Burns*

DATE 12-10-74 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

TITLE OF ORDINANCE \_\_\_\_\_ ANNEXATION X-74-11-60

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

SYNOPSIS OF ORDINANCE \_\_\_\_\_ Amending ☒ Annexation Ordinance X-03-74 by adding

Section 4 thereto

EFFECT OF PASSAGE \_\_\_\_\_

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_ N/A

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_ Annexation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

December 12, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of December 16 and December 23, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana:  
Bill No. G-35-74  
General Ord. No. G-74-11-42  
Street Vacation Ordinance

Bill No. G-36-74  
General Ord. No. G-74-11-43  
Alley vacation Ordinance

Bill No. X-05-74  
Annexation Ord. X-74-11-60  
Amending Annexation Ord. No. X-03-74

Please send us five (5) copies of the Publisher's Affidavit, from each newspaper.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 3

**Fort Wayne Common Council**  
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

# PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

77

1

78

## COMPUTATION OF CHARGES

78 lines, 1 columns wide equals 78 equivalent lines at .288¢ cents per line

\$ 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 23.96

## DATA FOR COMPUTING COST

Notice is hereby given that on the 10th day of December, 1974, the Common Council of the City of Fort Wayne, Indiana, in its Regular Session did pass the following Bill No. X-74-11-40 X-95-74 Annexation Ordinance.

BILL NO. X-74-11-40  
AN ORDINANCE amending Annexation Ordinance No. X-95-74 by adding a Section thereto.

WHEREAS, it is the desire of the Common Council to preserve those rights of the City of Fort Wayne to preserve whatever rights arise under General Ordinance No. 2467 so that the position of the City under said Ordinance will not be jeopardized by the event Ordinance No. X-95-74 is declared invalid.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-95-74 is amended by adding thereto Section 4 as follows:

SECTION 4. Provided, further that, unless the aforesaid General Ordinance No. 2467 is ruled to be of no force or effect by a court of competent jurisdiction, said ordinance shall remain in effect until the completion of any and all litigation arising under this ordinance.

SECTION 2. This Ordinance shall be in full force and effect from after its passage, approval by the Mayor and legal publication thereof.

James S. Stier, Councilman, Read the third time in full and on motion by Stier, seconded by Hingo, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine — Burns, Hingo, Krouss, Moses, Nuckels, O. Schmidt, V. Schmidt, Stier, Tolarice.

Noes: None.

Date: 12-10-74.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, an Annexation Ordinance No. X-95-74 on the 10th day of December, 1974.

ATTEST: (SEAL)

Samuel J. Tolarice, Presiding Officer, Charles W. Westerman, City Clerk. Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk. Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Labanoff, Mayor, 1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of Annexation Ordinance No. X-95-74 as passed by the Common Council on the 10th day of December, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 11th day of December, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of December, 1974.

(SEAL) Charles W. Westerman, City Clerk, 12-16-74

Page #002

single column 11 ems

Size of type 5½ point

insertions. 2

Size of quad upon which type is cast 5½

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

, 19 74

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that She is Clerk who, being duly sworn, says

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

12/16-23/74

Subscribed and sworn to before me this 24th day of December, 1974.

Notary Public

My commission expires October 24, 1975



Fort Wayne CommonCouncil

(Governmental Unit)

To NEWS-SENT INEL Dr

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines
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100	100

**Tail**      number of lines

Total number of lines in notice

### COMPUTATION OF CHARGES

78 lines, 1 column wide equals 78 equivalent lines at .288¢  
cents per line

\$22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

23.96

### DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type  $5\frac{1}{2}$  point

Number of insertions 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

**Pursuant to the provision and penalties of Ch. 89, Acts 1967,**

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Lukens

December 24 19 74

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken who being duly sworn, and

that **She is Clerk** of the

NEWS-SENTINEL

DAILY

**DAILY** ..... newspaper of general circulation printed and published  
in the English language in the city } of..... **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two .....

June 8, 1964, the dates of publication being as follows:

12/16-23/74

Subscribed and sworn to before me this 24th day of December 1974

Notary Public

My commission expires October 24, 1975

Form #002

Fort Wayne Common Council  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 23.96

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type. 5 1/2 point

## LEGAL NOTICE

Sections. 2

Size of quad upon which type is cast. 5 1/2

and penalties of Ch. 89, Acts 1967.

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just if the same has been paid.

Arvilla De Wald

Title

CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows: 12/16-23/74

Subscribed and sworn to before me this 24th day of December 1974

Notary Public

My commission expires October 25, 1975

COPY OF  
SENT HERE

NOTARY PUBLIC

Arvilla De Wald

Arvilla De Wald

NOTARY PUBLIC

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NOTARY PUBLIC

Arvilla De Wald

Arvilla De Wald

Notice is hereby given that on the 10th day of December, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-65-74: X-65-74 Annexation Ordinance, to-wit:

BILL NO. X-65-74-140

ANNEXATION ORDINANCE NO. X-65-74

AMENDING ANNEXATION ORDINANCE NO. X-65-74 BY ADDING A SECTION THEREOF.

WHEREAS, it is the desire of the Common Council to preserve those rights of the City of Fort Wayne to preserve whatever rights arise under General Ordinance No. 247 so that the position of the City under said Ordinance will not be jeopardized in the event Ordinance No. X-65-74 is declared invalid;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-65-74 is amended by adding thereto Section 4 as follows:

SECTION 4. Provided, further, that, unless the aforesaid General Ordinance No. 247 is ruled to be of no force or effect by a court of competent jurisdiction, said ordinance shall remain in effect until the completion of any and all litigation arising under this ordinance.

SECTION 2. This Ordinance shall be in full force and effect from after its passage, approval by the Mayor and legal publication thereof.

James S. Stier, Councilman.  
Read the third time in full and on motion by Stier, seconded by Hines, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine — Burns, Hinga, Kraus, Moses, Nuckolls, D. Schmidt, V. Schmidt, Stier, Tolarek.

Noes: None.  
Date: 12-10-74.  
Charles W. Westerman, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-65-74 on the 11th day of December, 1974.

Attest: (SEAL)  
Samuel J. Tolarek, Presiding Officer.  
Charles W. Westerman, City Clerk.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk.  
Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor.  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and for signing is a true and complete copy of Annexation Ordinance No. X-65-74 passed by the Common Council on the 10th day of December, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 11th day of December, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of December, 1974.  
(SEAL)  
Charles W. Westerman, City Clerk.



Fort Wayne Common Council  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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TOTAL AMOUNT OF CLAIM

\$ 23.96

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 24, 1974

Arvilla DeWald  
Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows: 12/16-23/74

Subscribed and sworn to before me this 24th day of December 1974

My commission expires October 25, 1975

For further information  
489-4944 B  
or the Journal  
Arlington Park  
Parkerdale  
Trier and Elwood  
Blackhawk  
Eldorado Hills and  
Centurhurst Addi  
New Glenwood P  
Glenwood Park

CREDS:

Excellent routes now